

**Council on Postsecondary Education  
Committee on Equal Opportunities  
October 18, 2011**

**Revision of Administrative Regulation 13 KAR 2:060**

The 1992 Session of the General Assembly enacted KRS 164.020(19) which requires the Council on Postsecondary Education to postpone the approval of new academic programs for those institutions who fail to meet equal opportunity goals established by an institution and adopted by the Council. The Kentucky Revised Statutes establish the Council's responsibility to approve the offering of new academic degree programs, KRS 164.020(15) and also limits an institution's eligibility for new academic degree programs, KRS 164.020(19) by the requirement that an institution meet its equal opportunity goals. The 1997 Special Session of the General Assembly which reorganized postsecondary education left unchanged the authority of the Council related to implementation of new academic programs.

In September 2010 the Council adopted the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development which required modification of the Kentucky Administrative Regulation 13 KAR 2:060 Degree program approval; equal opportunity goals. In August 2011 the Legislative Research Commission notified the Council that the revised KAR was approved as of June 3, 2011. The process for KAR review and approval was approximately six months from beginning to conclusion. A copy of the revised KAR is attached.

**Revised Kentucky Administrative Regulation (KAR)**

To the extent possible, the revised KAR provides accountability standards, metrics to determine progress, and requirements for an institution to obtain a waiver. Following is a brief summary of the changes incorporated to implement the statewide diversity policy and framework:

- The KAR requires an institution to develop and maintain an institution diversity plan.
- The KAR sets out the process for goal setting, measurement of progress, and how to secure a temporary waiver.
- The KAR defines the diversity policy as the Kentucky Public Postsecondary Education Diversity Policy and Framework for Institution Diversity Plan Development.
- The KAR defines an institution diversity plan as a plan developed by an institution in conjunction with the CPE to achieve diversity in student enrollment and in the workforce and to eliminate gaps in retention and graduation rates.
- The KAR requires five areas of goal development: student body diversity, student success, achievement gaps, workforce diversity, and campus climate.
- The KAR defines the period of waiver eligibility as one year.
- The KAR defines the time frame for a waiver as one year.

## Assessment of Progress

New Academic Programs: The first report of assessment of progress under the requirements of KRS 164.020(19) will be January 1, 2012. The assessment will be conducted based on the provisions of revised 13 KAR 2:060, Section 3. Measurement of an Institution's Performance in Demonstrating Continuous Progress, and Automatic Eligibility for New Academic Programs.

Each university will be assessed on eight areas of interest: 1) enrollment of undergraduate students, 2) enrollment of graduate students, 3) first year to second year retention, 4) second year to third year retention, 5) baccalaureate degrees, 6) employment of executive/administrative/managerial staff, 7) employment of faculty, and 8) employment of other professionals.

Each community and technical college will be assessed on seven areas of interest 1) enrollment of undergraduate students, 2) first year to second year retention, 3) second year to third year retention, 4) associate degrees and credentials, 5) employment of executive/administrative/managerial staff, 6) employment of faculty, and 7) employment of other professionals.

Status Determination: to be automatically eligible for new academic programs:

- (a) A four (4) year institution shall meet the goal or demonstrate continuous progress in six (6) of the eight (8) areas of interest or meet the goal.
- (b) A community college shall meet the goal or demonstrate continuous progress in five (5) of the seven (7) areas of interest.

Annual Institution Diversity Plan Report: The first annual institution assessment/report regarding progress on the institution diversity plan is due January 15, 2013 and will cover the activities and programs implemented by the institutions under the new plan from November 1, 2011 through November 30, 2012.

Section 3(2) of the KAR stipulates that an institution shall submit a written report annually to the Council or its designee describing the institution's progress in meeting the goals set forth in the institution diversity plan, and describing whether the institution has demonstrated continuous progress in the areas of interest described in Section 2(2) of this administrative regulation. Section 5: *Action Following Receipt of Institution Report*, states that the Council or its designee shall upon receipt of an institution's annual report described in Section 3(2) of the administrative regulation:

- (1) Review the report in public session; and
- (2)(a) Accept the report as submitted;
  - (b) Recommend, as appropriate, that an institution modify its diversity plan goals; or
  - (c) Recommend, as appropriate, that an institution modify strategies and activities to better ensure success in meeting goals.

The regulation is found at this link: <http://www.lrc.ky.gov/kar/013/002/060.htm>.